

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1, 6, 14, 17, 18, and 20 are amended. Claims 1-22 are now pending in this application.

§ 112 Rejections

Claims 8, 13, 19, and 20 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because the use of the term “cell” is alleged to be unclear. This rejection is traversed because the term “cell” is clear and definite.

The rejection states that the term “cell” is defined as an “enclosed cavity.” (Paragraph 3 of the Office Action.) It is respectfully submitted that the term “cell” is not limited to this definition but is broad enough to encompass merely partitioned spaces. Webster’s Encyclopedic Unabridged Dictionary of the English Language has several definitions for “cell” including, for example, “any of various small compartments or bounded areas forming part of a whole.” (See Appendix.) For further clarification, Webster’s further defines a “compartment” to include “a...space marked or partitioned off.” (See Appendix.) Thus, one with ordinary skill in the art would understand the term “cell” to include “a small space marked off as part of a whole.” This is particularly true in light of the specification because the disclosure talks of cushion cells 21, 22, 23, 24, 25, 26, 27, 28, and 29, which can make up the primary chamber cell group, according to one embodiment of the present invention. (See paragraphs 0024-0030 of the specification.) These cushion cells are essentially spaces marked off by one or more connected portions 13-17 and 40-44 which make up the primary chamber. Because the term “cell” is not limited to just an “enclosed cavity” and one with ordinary skill in the art would understand the meaning of a “cell,” the term is not indefinite. Thus, claims 8, 13, 19, and 20 are not indefinite for this reason.

Claim 20 is also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite because the terms “body side panel” and “cabin side panel” were inadvertently switch around in the claim. Claim 20 has been amended to address this oversight.

Reconsideration and withdrawal of the rejection based on 35 U.S.C. 112 is respectfully requested.

Specification

The specification was objected to because of the use of the term “cell.” This objection is traversed for the same reasons as provided above for the 112 rejection. Reconsideration and withdrawal of the objection are respectfully requested.

Rejection based on Staub

Claims 1-7, 9, 14-15, and 17-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,059,312 (“Staub”). The rejection should be withdrawn because Staub fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 (as amended) recites that “the air-permeable panel is configured so that air flows through the surfaces of the air-permeable panel that face the primary and secondary chambers.” Amended independent claims 17 and 18 include a similar feature. Staub does not disclose or suggest this feature. In particular, Staub discloses a panel 6 in which gas flows through a hole 16 and not through the surfaces of the panel. Thus, Staub does not anticipate claims 1 and 17-18 and the rejection should be withdrawn.

Claims 2-7, 9, and 14-15 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Staub are respectfully requested.

Rejection based on Lachat

Claims 1-5 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,791,685 (“Lachat”). The rejection should be withdrawn because Lachat fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 (as amended) recites that “the air-permeable panel is configured so that air flows through the surfaces of the air-permeable panel that face the primary and secondary chambers.” Amended independent claim 17 includes a similar feature. Lachat does not disclose or suggest this feature. In particular, Lachat discloses a panel 56a in which

gas flows through a hole 58 and not through the surfaces of the panel. Thus, Lachat does not anticipate claims 1 and 17 and the rejection should be withdrawn.

Claims 2-5 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Lachat are respectfully requested.

Rejection based on Wipasuramonton

Claims 1-6, 14, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,279,944 (“Wipasuramonton”). The rejection should be withdrawn because Wipasuramonton fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 (as amended) recites that “the air-permeable panel is configured so that air flows through the surfaces of the air-permeable panel that face the primary and secondary chambers...and...at least one of the primary chamber and the secondary chamber comprises a first panel, wherein the air permeable panel has substantially the same shape as the first panel.” Amended independent claim 17 includes similar features. Wipasuramonton does not disclose or suggest these features. In particular, Wipasuramonton discloses a panel 120 in which gas flows through holes 130 and not through the surfaces of the panel. Thus, Wipasuramonton does not anticipate claims 1 and 17 and the rejection should be withdrawn.

Claims 2-6, 14, 15 depend from claim 1 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Wipasuramonton are respectfully requested.

Rejection based on Abe

Claims 1-9, 13-15, and 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication 2004/0145162 (“Abe”). The rejection should be withdrawn because Abe fails to disclose, teach, or suggest the claimed invention.

For example, claim 1 (as amended) recites that “the air-permeable panel is configured so that air flows through the surfaces of the air-permeable panel that face the primary and secondary chambers.” Amended independent claims 17 and 18 include a similar feature. Abe does not disclose or suggest this feature. In particular, Abe discloses a panel 54 in which gas flows through holes 54a and not through the surfaces of the panel. Thus, Abe does not anticipate claims 1, 17, and 18 and the rejection should be withdrawn.

Claims 2-9, 13-15, and 19 depend from either claim 1 or 18 and are allowable therewith for at least the reasons set forth above without regard to the further patentable limitations contained therein.

Reconsideration and withdrawal of the rejection based on Abe are respectfully requested.

Conclusion

It is believed that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

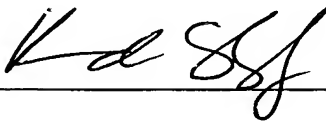
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 6/27/06

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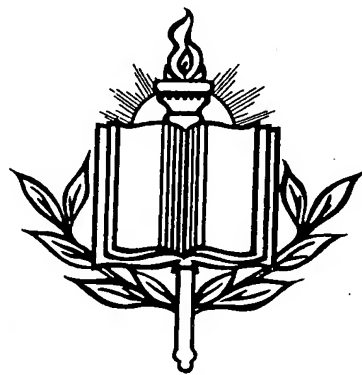
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APPENDIX

Webster's Encyclopedic Unabridged Dictionary of the English Language



The dictionary entries are based on the First Edition of The Random House Dictionary of the English Language

GRAMERCY BOOKS
NEW YORK/AVENEL, NEW JERSEY

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Printed and Bound in the United States of America

Library of Congress Cataloging-in-Publication Data

Webster's encyclopedic unabridged dictionary of the English language.

I. English language—Dictionaries.

PE1625.W46 1989

423—dc19

89-3785

CIP

ISBN 0-517-68781-X

15 14 13 12 11 10 9 8

